

REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1-4, 6, 14, 16-18 and 32-32 are pending and stand rejected. Claims 1 and 30 have been amended.

Claims 1, 2, 4, 6-12, 14, 16-18 and 23-32 stand rejected under 35 USC 103(a) as being unpatentable over Chiu (USP no. 6,452,615) in view of Milewski (USP no. 6,289,346) and further in view of Fu (USP no. 6,882,7993).

Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claims

Chiu discloses a note-taking device that allows a user to capture stills from the media streams, make annotations and reference important events that occur during a note-taking session. (See Abstract). Chiu discloses that "during a note-taking session, each instance of a note-book client produces a note file consisting of digital link stokes, thumbnails and background snaps. These objects are timestamped and attributed with a channel number, which provides indexes into the video streams." (see col. 6, lines 23-27).

Chiu, however, fails to teach or suggest that the start position of a segment is determined by changes in information associated with a selected frame in frames prior to the selected frame, or the end position is determined by changes in frames subsequent to the selected frame, as is recited in the claims.

Milewski discloses a bookmarking system that includes a user input device wherein a user can bookmark an archived version of a program for a future reference. The system utilizes a user input to communicate to a server to identify a program of interest and the network uses the identification information for the program of interest to identify a URL for the archived version of the program." (See Abstract). In one aspect of the device, Milewski teaches that the video can be segmented by determining fade-outs and each segment can be associated with a starting URL. (see col. 5, lines 50-52). Milewski fails to teach or suggest determining the starting point by detecting changes in information in frames prior to a selected frame. Rather Milewski teaches processing the videos stream in

frames subsequent to a selected frame and determining a start position by sequentially determining where fadeouts occur.

Fu discloses a system for segmenting video content. Fu discloses that the scene detection module includes a method that "begins by retrieving a first image frame ... a color difference between the current image and the previous one is computed ... and declares a true scene break and records a frame identifier associated with the frame located previously as the end of a scene and the next frame as the start of the next scene." (see col. 6, line 63-col. 7, line 35). Hence, Fu teaches a system which determines an end point by processing a prior frame.

A claimed invention is *prima facie* obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

In this case, Chiu teaches a system that allows a user to interactively select a frame and use that frame as a starting position to view images or video. Milewski, teaches segmenting a video stream and defines the segment by a starting URL. And Fu discloses determining an ending point by comparing a prior scene with a current scene. However, none of the references teach or suggest determining that the starting point and endpoint of the segment are based on detecting changes of information in the audio, visual or transcript portion of the video with respect to the frame recorded information, in frames prior to and subsequent to the selected frame, respectively, as is recited in the claims.

Even if it were possible to combine the teachings of Chiu, Milewski and Fu, the combined device does not render obvious the invention claimed, as the combination of Chiu, Milewski and Fu fails to teach or suggest all the elements claimed.

Having shown that there is no teaching or suggestion to combine the references cited or that the teachings were combined, the combined device would not include all the elements claimed, applicant submits that the reason for the rejections of claim 1 has been

overcome and the rejection can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

With regard to the remaining independent claims, these claims recited subject matter similar to that recited in claim 1 and were rejected citing the same references used in rejecting claim 1. Thus, the remarks made in response to the rejection of claim 1 are applicable in response to the rejection of the independent claims. For the remarks made in response to the rejection of claim 1, which are reasserted, as if in full, in response to the rejection of the remaining independent claims, it is submitted that the reason for the rejection of these claims has been overcome and the rejection can no longer be sustained. It is respectfully requested that the rejection be withdrawn and the claims allowed.

With regard to the remaining claims, these claims ultimately depend from the independent claims, which have been shown to be allowable over the cited references. Accordingly, the remaining claims are also allowable by virtue of their dependence from an allowable base claim.

Claims 3 and 13 stand rejected under 35 USC 103(a) as being unpatentable over Chiu/Milewski/Fu and Brewer (USP no. 6, 285,361).

Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claims.

The aforementioned remaining claims in this application are each dependent from an independent claim discussed above. As shown above the independent claims are not obvious in view of the teachings of Chiu, Milewski, and Fu and the additional reference cited fails to provide any teachings to correct the deficiencies in the combination of Chiu, Milewski and Fu.

Accordingly, the aforementioned remaining claims are also allowable by virtue of their dependence from an allowable base claim.

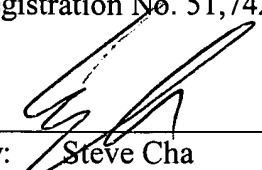
Since each dependent claim is also deemed to define an additional aspect of the invention, individual consideration of the patentability of each on its own merits is respectfully requested.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited reference. A Notice of Allowance is respectfully requested.

Respectfully submitted,

Yan Glickberg
Registration No. 51,742

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By: Steve Cha
Attorney for Applicant
Registration No. 44,069

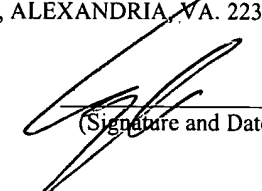
Mail all correspondence to:

Yan Glickberg, Registration No. 51,742
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9608
Fax: (914) 332-0615

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Steve Cha, Reg. No. 44,069
(Name of Registered Rep.)


(Signature and Date)